

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RASHID BISSAT,

Case No. 1:21-cv-01649-JLT-SKO

Plaintiff,

v.

**ORDER DIRECTING DEFENDANT TO
FILE SUPPLEMENTAL BRIEFING RE
MOTION FOR ATTORNEY'S FEES**

5 DAY DEADLINE

CITY OF VISALIA, A CALIFORNIA
MUNICIPAL CORPORATION AND
CHARTER CITY,

Defendant.

_____ /

The undersigned filed an order on March 7, 2024, (Doc. 34) requiring Plaintiff to show cause as to why sanctions should not issue for failing to comply with a previous Court order. In this order, the Court also invited the City of Visalia (the “Defendant”) to file a motion for attorney’s fees. (*Id.*). Defendant filed their motion on March 15, 2024. (Doc. 35). In their motion, Defendant contends that “[b]ecause sanctions are an appropriate response to the willful disobedience of a court order, an award of reasonable attorney’s fees in the sum of \$7,500.99 in favor of Defendant City of Visalia is warranted.” (Doc. 35-1 at 3). This sum represents the total fees incurred throughout the entire case. (*See id.*).

Beyond attaching a summary of their billing records, Defendant does not attempt to delineate which costs directly result from Plaintiff’s failure to comply with court orders. Instead, Defendant requests that the Court award all the fees they have incurred litigating this case. While

1 a Court may do so under egregious circumstances (*see Goodyear Tire & Rubber Co.*, 581 U.S.
2 101, 102 (2017)), Defendant has not established this is one of those instances. An award of
3 attorney's fees is intended to be a compensatory award following a "granular inquiry" connecting
4 misconduct and specific expenses. *Lu v. United States*, 921 F.3d 850, 863 (9th Cir. 2019).
5 Defendant has not undertaken such an inquiry connecting misconduct and specific expenses.
6 Without such substantiation, the undersigned cannot recommend awarding attorney's fees.

7 Accordingly, IT IS HEREBY ORDERED that **within five (5) days** of the entry of this
8 order, Defendant SHALL file supplemental briefing, together with supplemental declarations and
9 spreadsheets, if appropriate, itemizing which costs listed in its billing records can be connected to
10 Plaintiff's misconduct. Defendant must also demonstrate how the costs are connected to Plaintiff's
11 misconduct.

12
13 IT IS SO ORDERED.

14 Dated: **April 16, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE